

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: EBY, Richard et al.

TC/AU: 2839

Serial No. 08/908,872

Examiner: DUVERNE, Jean

Filing or 371 (c) Date: 8/8/1997

Dkt No: APP81762/181

For: ELECTRICAL CONNECTOR WITH PLANAR CONTACT ENGAGING SYSTEM

To: Mail Stop ISSUE FEE
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

From:

24222

Commissioner:

LETTER OF TRANSMITTAL

Transmitted herewith is, 1 page PTOL-85B Issue Fee Transmittal, 1 page PTO/SB/47 Fee Address Form, 10 sheets of replacement drawings, 4 sheets annotated drawings showing changes.

Replacement Drawings are being submitted herewith which includes the missing reference signs 20, 24, 26, 56 noted by the Office in the Office Action dated 10/1/1998 as well as minor notation errors and clearer lines. In more particular detail, Figure 1 has been amended to include missing signs 20 (and corresponding axis), 24, 24a, 26, 26a, and left side label 18 changed to 18a to match specification. Figure 7a has been amended wherein sign 48 was changed to 50 to match specification. Figure 9a, 9c, were amended wherein sign 52 was changed to 54 to match specification. Figure 11 was amended to change sign 14 to 56 to match specification.

No new matter is added and no changes are required to the specification. To the best of our knowledge, Applicant did not receive form PTOL-37, however under MPEP 608.02(z), Applicant requests that these drawings replace the filed drawings and be submitted to the Publishing Division as "submission to the examiner is not necessary unless an amendment accompanies the drawings which changes the specification." MPEP 608.02(z)(II).

DEPOSIT ACCOUNT 500323 AUTHORIZATION - All necessary fees relating to the attached submittal, if any, are intended to be included. However, the Office is hereby authorized to charge any deficiency or credit any overpayment in the fees relating to the submittal to deposit account 500323, registered to Maine & Asmus PLLC, contact telephone no. 603-886-6100.

COMMENTS ON REASON FOR ALLOWANCE

Applicant wishes to note that the Examiner-Initiated Interview Summary included with the Notice of Allowance incorrectly noted that claims 1 and 6 were discussed. Applicant refers the Office to the Applicant's Statement of the Substance of the Interview filed 8/31/06 which correctly notes the discussed claims.

The Applicant thanks the Office for providing reasons for allowance. However, the Applicant believes that the record as a whole amply supports the allowance of the claims and such further comments by the Office do not represent the full scope of the invention as defined in each of the claims. The Office merely recites certain elements of the claims as the reasons for allowance, and the Applicant wishes to ensure that such statement does not give rise to a presumption of acquiescence to those specific reasons, and any negative inferences that may flow therefrom. Applicant believes that the allowed claims 1-4 and 6-12, including 4 independent claims are best interpreted in light of the record as a whole and not on the reasons presented in the Notice of Allowance.

Respectfully submitted,

/Scott J. Asmus, Reg. No. 42,269/

Cus. No. 24222
Maine & Asmus
PO Box 3445
Nashua, NH 03061-3445
Tel. No. (603) 886-6100, Fax. No. (603) 886-4796
Patents@maineandasmus.com

Vernon C. Maine, Reg. No. 37,389
Scott J. Asmus, Reg. No. 42,269
Andrew P. Cernota, Reg. No. 52,711
Kristina M. Grasso, Reg. No. 39,205
Attorneys/Agents for Applicant